

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

ERNEST PIPPIN)	
)	CV. NO. 3:07-CV-613-MHT
v.)	CR. NO. 3:06-CR-150-MHT
)	
UNITED STATES OF AMERICA)	

GOVERNMENT'S MOTION TO EXTEND TIME TO RESPOND

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama and, in response to the court order issued November 15, 2007, respectfully requests that the government be granted additional time to comply with the Court's Order.

The government has filed three (3) previous requests for extension of time to file its response. Said motions have all been granted. Each of the previous motions contained the same reasoning and rationale for the extension: that the government is in need of transcripts of hearings in the case to be able to fully address the concerns raised by Petitioner in his petition, to include unconstitutional acts by the district judge at sentencing.

The government has now received the required transcripts and requests additional time to respond. As grounds for said request the government states the following: the petition filed by Pippin appears to be a bare-bones allegation of ineffective assistance of counsel and improper conduct by the district court; the petitioner filed his petition without benefit of transcripts to which to cite specific instances of ineffectiveness or misconduct; the government has made and sent copies of the transcripts to Pippin to allow him to supplement his motion; and, for the sake of judicial economy

and preservation of governmental resources, the government believes that filing its response to Pippin's supplemental motion, would be in the best interest of all interested parties..

The petitioner would suffer no prejudice should the Court grant this final motion for extension of time to file.

Respectfully submitted this 28th day of January, 2008.

LEURA G. CANARY
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I, Susan R. Redmond, Assistant United States Attorney, hereby certify that on January 28, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and have served a copy of the foregoing on Ernest Pippin, prisoner number 11970-002, FMC - Ashland, Box 6001, Ashland, KY 41105, by depositing a copy of same in the United States mail, first class, postage prepaid, and properly addressed to him on this the 28th day of January, 2008.

LEURA G. CANARY
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